

110TH CONGRESS  
1ST SESSION

# H. R. 3969

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to dispose of excess materials, supplies, and equipment acquired pursuant to that Act to assist victims of major disasters, emergencies, and incidents, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2007

Mr. MICA (for himself and Mr. ROSS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to dispose of excess materials, supplies, and equipment acquired pursuant to that Act to assist victims of major disasters, emergencies, and incidents, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DISPOSAL OF EXCESS MATERIALS, SUPPLIES,**  
2 **AND EQUIPMENT.**

3 Title III of the Robert T. Stafford Disaster Relief  
4 and Emergency Assistance Act (42 U.S.C. 5141 et seq.)  
5 is amended by adding at the end the following:

6 **“SEC. 327. DISPOSAL OF EXCESS MATERIALS, SUPPLIES,**  
7 **AND EQUIPMENT.**

8 “Notwithstanding any other provision of law, if the  
9 President determines that materials, supplies, or equip-  
10 ment acquired by the President pursuant to title IV or  
11 V for response or recovery efforts in connection with a  
12 major disaster or emergency are in excess of the amount  
13 needed for those efforts, the President may transfer the  
14 excess materials, supplies, or equipment, by sale, donation,  
15 or otherwise, directly to a State or other governmental en-  
16 tity or to a voluntary organization for the purpose of as-  
17 sisting disaster victims in other major disasters and emer-  
18 gencies and in incidents that do not result in a declaration  
19 of a major disaster or emergency.”.

20 **SEC. 2. DISPOSAL OF TEMPORARY HOUSING UNITS.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) The Federal Emergency Management Agen-  
23 cy has a large number of temporary housing units  
24 that are underutilized.

25 (2) These units could be helpful to States in  
26 their efforts to assist disaster victims in incidents

1       that do not result in a Federal declaration of a  
2       major disaster or emergency.

3       (b) DISPOSAL.—Section 408(d)(2)(B)(ii) of the Rob-  
4       ert T. Stafford Disaster Relief and Emergency Assistance  
5       Act (42 U.S.C. 5174(d)(2)(B)(ii)) is amended by striking  
6       “victims in major disasters and emergencies” and insert-  
7       ing “victims in major disasters and emergencies and in  
8       incidents that do not result in a declaration of a major  
9       disaster or emergency”.

10       (c) SPECIAL RULE.—In the case of an unused tem-  
11       porary housing unit described in section 689k of the Post-  
12       Katrina Emergency Management Reform Act of 2006  
13       (Public Law 109–295; 120 Stat. 1456), the President may  
14       dispose of the unit in accordance with the requirements  
15       of that section or in accordance with section  
16       408(d)(2)(B)(ii) of the Robert T. Stafford Disaster Relief  
17       and Emergency Assistance Act (42 U.S.C.  
18       5174(d)(2)(B)(ii)), as amended by this section.

19       **SEC. 3. INDIVIDUAL ASSISTANCE FACTORS.**

20       In order to provide more objective criteria for evalu-  
21       ating the need for assistance to individuals and to speed  
22       a declaration of a major disaster or emergency under the  
23       Robert T. Stafford Disaster Relief and Emergency Assist-  
24       ance Act (42 U.S.C. 5121 et seq.), not later than 1 year  
25       after the date of enactment of this Act, the Administrator

1 of the Federal Emergency Management Agency, in co-  
2 operation with representatives of State and local emer-  
3 gency management associations, shall review, update, and  
4 revise through rulemaking the factors considered under  
5 section 206.48 of title 44, Code of Federal Regulations,  
6 to measure the severity, magnitude, and impact of a dis-  
7 aster.

